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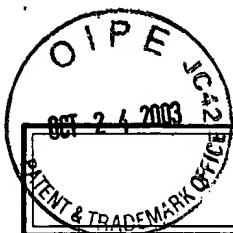
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Applicant: Oren Globerman, et al.  
Serial No: 09/890,172  
Filing Date: July 25, 2001  
For: EXPANDABLE INTERVERTEBRAL SPACER  
Enclosures: (1) Transmittal Letter (in duplicate); (2) Amendment (18 pages) including last page of interview summary (1 page); (3) Acknowledgement Postcard.

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**TRANSMITTAL LETTER**  
**(General - Patent Pending)**

Docket No.  
110/02239

In Re Application Of: Oren GLOBERMAN et al.

Serial No.  
09/890,172

Filing Date  
July 25, 2001

Examiner  
PREBILIC, P. B.

Group Art Unit  
3738

Title: **EXPANDABLE INTERVERTEBRAL SPACER**

TO THE COMMISSIONER FOR PATENTS:

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Response to Final Office Action dated August 28, 2003

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in the above identified application.

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Dated: October 16, 2003

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Continuation Sheet (PTOL-413)

Application No. 09/890,172

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: We discussed four issues. Mr. Fenster orally proposed some amendments to the claims which appeared to overcome the rejections of record by redefining axial displaced as being along the length of the tube. Discussed Nissenkom as being most relevant of the prior art cited in the Final rejection. Mr. Fenster proposed language to overcome a potential rejection therewith by making the claimed tube normally axially extended. The Examiner thought that this would read on the intermediate (Figure 2) embodiment of Nissenkom. We also discussed the Section 112 rejections and came to a general agreement about what has support in this regard. The Examiner thought that the percentage contact area has original support. Support for claim 113 was not as clear. Mr. Fenster said he would file a response soon.